

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2003 JUN 24 P 3: 56 IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CLERK'S OFFICE  
LAT. BALTIMORE  
Laurie J. Poss, M.D.Y.  
DEPUTY

BY \_\_\_\_\_ Plaintiff

v.

UNUM Life Insurance  
Company of America

Defendant

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CIVIL CASE

MJG 01 CV 3279

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**PLAINTIFF'S MOTION TO RE-OPEN/CONTINUE  
THE RULE 111.1 ORDER ANOTHER 15 DAYS**

Plaintiff, by her undersigned counsel, pursuant to the Order of Dismissal dated May 23, 2003, for good cause shown, hereby moves the court for an Order continuing the case for another 15 days, in which time period it is anticipated that the parties' will close their settlement agreement, and shows the following:

A Settlement papers have been drafted by the defense and are generally acceptable, subject to confirmation of editing terms proposed by plaintiff to defendant, and subject to plaintiff's verification of the accounting, to be provided by defendant, of its calculation of interest and due date of payment.

B. The parties appear to agree that the dismissal will be without prejudice. The release terms will extinguish the plaintiff's claims for past due benefits. Future benefits will be administered under the policy and the parties are agreed that their settlement will not prejudice any claim that the plaintiff in the future may develop, if any, as against the Defendant.

C. Accordingly, the parties pray this Court to allow them through and including July 8, 2003, to close their settlement, and to not mark this case as dismissed with prejudice.

D. Undersigned's office has advised that defense counsel, Mr. Stanley called on June 20<sup>th</sup> and advised that he is in agreement with this motion. Undersigned requests Mr. Stanley's direct communication on this point to the court.

24<sup>th</sup>


**So Ordered** this / day of June, 2003

Dismissal is continued through and including July 8, 2003, and will be on a without prejudice basis.

/ s /

Hon. Marvin J. Garbis  
United States District Judge


Dated: June 21, 2003  
Baltimore, Maryland

  
\_\_\_\_\_  
Phillips P. O'Shaughnessy  
Bar number: 01217  
Phillips P. O'Shaughnessy, P.A.  
1102 Terrace Glen  
Baltimore, Maryland 21210  
410.532.0300  
Attorneys for Plaintiffs

**Certificate of Service**

I hereby certify that on this 21<sup>st</sup> day of June 2003 I sent by facsimile and thereafter confirmatorily mailed a true copy of the foregoing motion to compel discovery by depositing same in the US mail, first class, postage prepaid, and addressed to:

J. Snowden Stanley, Esq.  
Semmes, Bowen & Semmes  
250 West Pratt Street  
Baltimore, Maryland 21201  
Counsel for Defendant

  
\_\_\_\_\_  
Phillips P. O'Shaughnessy